

From: Tim Butterfield
To: Microsoft ATR
Date: 1/23/02 12:42pm
Subject: Microsoft Settlement

To whom it may concern,

I wanted to add my voice to those who disagree with the proposed judgment against Microsoft. I agree with Dan Kegel's comments on many points, though I will address just a few of these here.

As a software developer working on Windows, Solaris and Linux, the proposed definitions of API, Middleware, Middleware Product, Windows OS and the non-disclosure of proprietary file formats are troublesome. I define API as an application programming interface. This is not limited to only operating system interfaces. For example, applications, libraries, other development tools and even web services like Passport have interfaces which can be programmed to. These are all APIs, which appear to be excluded under the proposed definition. Middleware should not be defined or limited by a version number, but by how the software is architected. Many web enabled applications I have worked on have a middleware component as do many desktop applications. With development using the new .NET architecture, these portions of the applications will still be considered middleware. As that middleware may use .NET, .NET must therefore be either middleware itself or part of the underlying ! operating system. However, .NET does not appear to be classified this way in the proposal. As for the file formats, they should be open and documented sufficiently to allow the use of those file formats on other operating systems and by other applications. The current proposal is lacking in this requirement.

One other area that I find particularly heinous is the practice of prohibiting the sale of computers without a Microsoft operating system installed. It is impossible or nearly impossible to buy a computer, especially a laptop computer, without it having some variety of Microsoft operating system installed. I would like that option to be available in the marketplace and the current practices make it prohibitive for manufactures to do this.

I hope that a more amenable solution can be arrived at.

Sincerely,

Tim Butterfield